

**DECLARATION
Utility Application**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention GENE SEQUENCE VARIANCES IN GENES RELATED TO FOLATE METABOLISM HAVING UTILITY IN DETERMINING THE TREATMENT OF DISEASE the specification of which

(Check One)

- ☒ is attached hereto OR
☐ was filed on _____ as United States Application Serial No. _____; PCT International Application No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Date of Filing	Priority Claimed	
			Yes	No

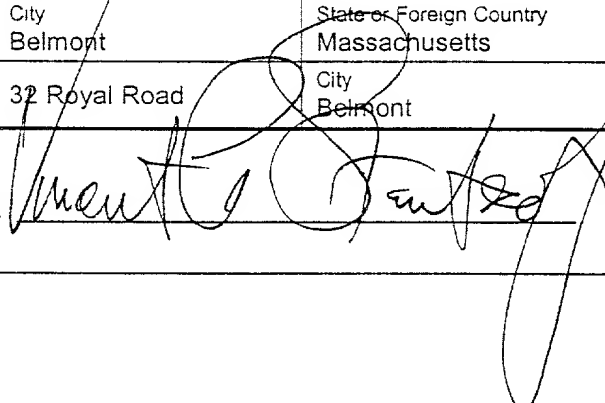
I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date
60/093,484	July 20, 1998

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date	Status-Patented, Pending or Abandoned
09/596,033		June 15, 2000	Pending
09/357,743		July 20, 1999	Pending
09/357,024		July 19, 1999	Pending

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

201	FULL NAME OF INVENTOR	FIRST Name Vincent	MIDDLE Initial P.	LAST Name Stanton, Jr.	
	RESIDENCE & CITIZENSHIP	City Belmont	State or Foreign Country Massachusetts		Country of Citizenship U.S.A.
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INVENTOR'S SIGNATURE					DATE <u>Sept 7, 2000</u>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Vincent P. Stanton, Jr. Art Unit :
Serial No. : Examiner :
Filed : HEREWITH
Title : THYMIDYLATE SYNTHASE GENE SEQUENCE VARIANCES HAVING
UTILITY IN DETERMINING THE TREATMENT OF DISEASE

Commissioner for Patents
Washington, D.C. 20231

DECLARATION REGARDING INCORPORATION BY REFERENCE

Applicant hereby declares that the sequence listing appended hereto consists of the same sequence information incorporated by reference in the application GENE SEQUENCE VARIANCE IN GENES RELATED TO FOLATE METABOLISM HAVING UTILITY IN DETERMINING THE TREATMENT OF DISEASE by reference to the GenBank® Identifier for each sequence.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL624276315US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

September 24, 2001
Date of Deposit

Signature

Lisa G. Orday
Typed or Printed Name of Person Signing Certificate

04250 EEE660

Applicant : Vincent P. Stanton, Jr.
Serial No. :
Filed : HEREWITH
Page : 2

Attorney's Docket No.: 11926-015002

Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date

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